

REMARKS

Initially, Applicants' undersigned attorney calls the Examiner's attention to the fact that an erroneous filing date is listed on the Office Action to which this paper is responsive. A petition requesting correction of the filing date to the original accorded filing date of July 14, 2003 was granted by the Office of Petitions on December 22, 2005. Accordingly, Applicants request that the record in regard to the filing date be corrected at the Examiner's earliest convenience.

In addition, Applicants thank the Examiner for the indication of allowable subject matter in Claims 22 to 25 and 29.

This application has been carefully reviewed in light of the Office Action dated November 2, 2006. Claims 21 to 29 are pending in the application, of which Claims 21 and 26 to 28 are independent. Reconsideration and further examination are respectfully requested.

Claims 21 and 26 to 28 were rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,169,596 (Shiota). Reconsideration and withdrawal of this rejection are respectfully requested.

The present invention concerns receiving a print request including multiple actual print sizes for the same ID information, requesting from an image storage apparatus one of the multiple actual print sizes rather than all of requested actual print sizes, acquiring the image data having the requested actual image size from the image storage apparatus, and generating print information corresponding to each of the multiple actual print sizes, using the acquired image data.

Turning to specific claim language, amended independent Claim 21 is directed to a data communication apparatus connected to an image storage apparatus via a network. The communication apparatus includes reception means for receiving a print request including ID information identifying an image and an actual print size of the image to be printed; acquisition means for, if the print request includes multiple actual print sizes for the same ID information, requesting one of the multiple actual print sizes to the image storage apparatus via the network and acquiring image data having the requested actual print size from the image storage apparatus; and generating means for generating print information corresponding to each of the multiple actual print sizes, using the acquired image data.

On the contrary, the cited reference Shiota merely discloses a photo finishing system using a print order sheet which has a space for inputting a print size for each image ID and a space for inputting a number of printing. According to Shiota, a user can input only one size for one image ID. That is, Shiota is silent about inputting multiple actual print sizes for the same image ID.

Accordingly, Shiota clearly fails to disclose or suggest, if the print request includes multiple actual print sizes for the same ID information, requesting one of the multiple actual print sizes to the image storage apparatus via the network and acquiring image data having the requested actual print size from the image storage apparatus, and generating print information corresponding to each of the multiple actual print sizes, using the acquired image data.

In light of the deficiencies of Shiota as discussed above, Applicants submit that amended independent Claim 21 is now in condition for allowance and respectfully request same.

Amended independent Claims 26, 27 and 28 are directed to a method, computer-readable medium and system, respectively, substantially in accordance with the apparatus of Claim 21. Accordingly, Applicants submit that Claims 26 to 28 are also now in condition for allowance and respectfully request same.

The other pending claims in this application are each dependent from the independent claims discussed above and are therefore believed allowable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa, CA office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Frank Cire #42,419/
Frank L. Cire
Attorney for Applicants

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

CA_MAIN 125948v1